



OFFICE OF THE DISTRICT ATTORNEY, Bronx County

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April 18, 2008

The Honorable Henry B. Pitman  
United States Magistrate Judge  
Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, NY 10007

*APPLICATION FOR  
EXTENSION GRANTED.*

**SO ORDERED**

*Henry B. Pitman*  
HENRY PITMAN  
UNITED STATES MAGISTRATE JUDGE  
4-21-08

Re: Ahib Paul v. Robert Ercole  
07 Civ. 9462 (CM) (HBP)

Dear Magistrate Judge Pitman:

Presently, I am preparing the People's response to above mentioned habeas corpus petition. However, I am now seeking an extension to April 30, 2008 because I just recently completed the People's response to an 8-point appellant's brief of an incarcerated defendant, who unlike the present petitioner, has not had an initial appellate review of her conviction. The record consisted of a 2000-page transcript, and thousands of pages of exhibit documentation. Additionally, in papers dated January 11, 2008, I opposed petitioner's November 28, 2007 motion to stay his habeas corpus petition, arguing that a stay in the instance case was inapplicable because petitioner's initial petition was not a "mixed petition." Today, I was informed by Chambers that Petitioner's November 28, 2007 stay request was not granted, but it was unclear whether the request has been definitively denied, which may effect the Respondent's answer to the habeas petition. Would Chambers kindly send us a copy of the Court's decision, since we have not received one.

Respectfully submitted,

*Joshua F. Magri*  
JOSHUA F. MAGRI (JM 1215)  
Assistant District Attorney

cc.: Ahib Paul  
DIN: 03-A-5192  
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